

BYLAWS
COUNTY OF ROANOKE, VIRGINIA
PLANNING COMMISSION

ARTICLE I – NAME

The name of the organization shall be the ROANOKE COUNTY PLANNING COMMISSION.

ARTICLE II – AUTHORITY

The Planning Commission (the “Commission”) is established under the authority of the Code of Virginia (1950, as amended), Chapter 22, Article 2 and pursuant to a motion of the Roanoke County Board of Supervisors (the “Board”) on June 19, 1939 as authorized by Section 2, Chapter 427 of the Acts of the General Assembly, adopted March 30, 1936.

ARTICLE III – POWERS AND DUTIES

- A. The Commission shall have and exercise the powers and duties conferred upon the Commission by the Code of Virginia (1950, as amended), the Code of Roanoke County Virginia, as amended, and any applicable County policies.
- B. The Commission shall make recommendations to the Board and assist them in the administration of the Zoning and Subdivision Ordinances, the Community Plan, and other County policies and matters affecting the development and growth of the County and other matters as may be directed by the Board.
- C. The Commission shall promote programs, policies and plans to achieve responsible land development within the County to facilitate effective and adequate provision of public services and facilities.
- D. The Commission may appoint any committees or subcommittees it deems necessary.
- E. The Commission shall, by a majority vote, establish an annual work program with projects and priorities.

ARTICLE IV – MEMBERSHIP

- A. The Commission shall consist of five (5) members who shall be appointed by the Board. All members shall be residents of the County of Roanoke, and shall be qualified by knowledge and experience to make responsible decisions on issues of planning, growth and development. A majority of the members shall be owners of real property in the County.

- B. There shall be one (1) member of the Commission residing in each of the five magisterial districts of the County.
- C. Terms of the Commission members shall be for four (4) years as set out in Section 15.2-2212 of the Code of Virginia, (1950, as amended).
- D. The term of a Commission member shall expire on December 31. The successor's term shall begin on January 1. In the event that an appointment of successor is not made prior to the expiration of a given term of office, the Commission member whose term expires shall continue to serve until the last day of the month in which the successor's appointment is made. The successor's term shall expire four years from the original December 31 expiration date.
- E. Any vacancy in membership shall be filled by appointment of the Board and shall be for the unexpired portion of the term.
- F. Any member of the Commission shall be eligible for re-appointment.
- G. Any member of the Commission may be removed from office by the Board for neglect of duty and/or malfeasance in office. Any member of the Commission who misses any three (3) consecutive regular meetings or misses four (4) regular meetings within a twelve (12) month period may be removed by the Board.
- H. All Planning Commission members shall attend and fulfill the requirements of the Virginia Certified Planning Commissioners Program within one calendar year of their appointment to the Commission.

ARTICLE V – REGULAR MEETINGS

- A. All regular meetings of the Commission shall be open to the public, unless closed pursuant to state law.
- B. The Commission shall hold regular meetings on such days as may be prescribed by resolution at the first meeting in January of each year. The Commission shall give notice of the date, time and location of its meetings by placing a notice in the office of the Department of Community Development. The Department of Community Development may publish meeting notices by electronic means. The notice shall be posted at least three (3) working days prior to the meeting.
- C. Any meeting of the Commission may be adjourned to a later date and time, provided that no adjournment shall be for a longer period than until the next regular meeting.
- D. The Commission may by resolution, when necessary, change the time and place of the regular meeting. The resolution shall set forth the circumstances necessitating such change. Notice of such change shall be posted in the office of the Department of Community Development at least three (3) working days prior to the meeting.

- E. On regular meeting dates, the Commission when necessary, shall hold public hearings to consider subdivision waivers, amendments to the Community Plan, zoning amendments and special use permits. These public hearings are held to receive information and solicit public comments.

ARTICLE VI – SPECIAL MEETINGS

- A. The chair or two (2) members of the Commission may call special meetings whenever in their opinion the public business may require it.
- B. Whenever a special meeting shall be called, notice in writing shall be given to each Commission member either in person or by notice left at their place of residence or business, stating the date and hour of the meeting and the purpose for which such meeting is called.
- C. Notice to the public of a special meeting shall be given contemporaneously with the notice provided members of the Commission.

ARTICLE VII – WORK SESSIONS

- A. The Commission may meet informally in work sessions which shall be open to the general public.
- B. The Commission may, at the discretion of the presiding officer, solicit public comments at the work sessions.

ARTICLE VIII – EXECUTIVE SESSIONS

The Commission may hold executive sessions or closed meetings in accordance with the provisions of the Virginia Freedom of Information Act.

ARTICLE IX – MINUTES

- A. Minutes of all regular meetings shall be recorded. Such minutes shall be maintained in the Department of Community Development. The minutes shall reflect:
 - 1. The date, time and place of the meeting.
 - 2. The members recorded as present or absent.
 - 3. A general description of all matters proposed, discussed, or decided; and
 - 4. Record of any votes taken.
- B. Approval of minutes of all regular meetings shall be considered at a regular Commission meeting. It shall not be necessary to read the minutes prior to approval. Such minutes may be revised by the Corresponding Secretary to the Planning Commission to correct spelling, numbering and other such technical defects. Prior to approval, any member may, through the chair, request the privilege of amending or correcting the minutes to accurately

reflect the substance of the prior meeting. If objection is made by a Commission member to such amendment or correction, a majority vote of the Commission shall be necessary for adoption of the correction or amendment. The Secretary to the Planning Commission shall sign the adopted minutes.

- C. The Secretary to the Planning Commission shall keep audio recordings of regular Commission meetings for a period of five (5) years after the date of that meeting.

ARTICLE X – THE PRESIDING OFFICER – ELECTION AND DUTIES

- A. The presiding officer of the Commission shall be the chair, who shall be elected at the first meeting in January of each year, by the Commission members. The chair shall assume the duties of the presiding officer immediately following the election.
- B. The chair shall preserve strict order and decorum at all meetings of the Commission.
- C. The chair shall vote on all questions, his/her name being called last.
- D. The Commission members shall elect a vice chair from its membership at the first meeting in January of each year, who shall preside in the absence of the chair.
- E. During the absence of the chair, the vice chair shall discharge the duties and exercise the powers and authority of the chair. In the absence of the chair and vice chair, the Commission member with the longest tenure shall preside and discharge the duties and exercise the powers and authority of the chair.
- F. Other officers of the Commission shall include a secretary and a corresponding secretary. The secretary shall serve at the request of the Commission and shall be the Deputy Director of Planning, Department of Community Development. Alternate secretary or secretaries may be appointed by the Commission as deemed necessary.

ARTICLE XI – QUORUM

A majority of the members of the Commission shall constitute a quorum and shall be necessary for the transaction of business. If a quorum is not present, those in attendance shall adjourn to a later time when a quorum is present to transact business.

ARTICLE XII – RULES OF ORDER

“The Scott, Foresman edition of “Robert’s Rules of Order Newly Revised (1990 Edition)” shall govern the proceedings of the Commission in all cases.

ARTICLE XIII – VOTING

- A. An affirmative vote of at least a majority of the members of the Commission shall be necessary to recommend a rezoning or special use permit, but a resolution, motion, or any other proposition may be adopted by a majority voting on the issue. When any vote is called each Commission member shall respond “yes” (aye), “no”, “abstain”, “pass” or “present”. Any Commission member who responds “pass” shall be given an opportunity at the end of the roll call to change his/her vote to “yes” (aye), “no”, “abstain”, or “present”.
- B. In the event of a tie in votes on any motion, due to an absence of a Commission member, consideration of the motion shall be carried over until the next regular meeting. In the event of a tie vote on any motion due to an abstention, the motion shall be considered to have been defeated.
- C. Any member of the Commission may introduce a motion.
- D. A motion does not need to be seconded for purposes of discussion or voting.

ARTICLE XIV – MANNER OF ADDRESSING THE COMMISSION – TIME LIMIT

- A. Each person addressing the Commission shall step up to the microphone in front of the podium and shall give his/her name and address in an audible tone of voice for the record. Unless further time is granted by the Commission, each speaker shall limit his/her address to three (3) minutes. A speaker may yield his/her allotted time to another speaker but no speaker may accumulate more than a total of 9 minutes speaking time, unless granted additional time by the Commission.
- B. All remarks shall be addressed to the Commission as a body and not to any member thereof.
- C. No person, other than the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the presiding officer.
- D. No question shall be asked a Commission member except through the presiding officer.

ARTICLE XV – COMPENSATION

The amount of compensation for Commission members shall be set by the Board of Supervisors.

ARTICLE XVI – AMENDMENTS

These By-laws may be amended by a majority vote of the entire membership of the Commission after thirty (30) days prior notice.

ARTICLE XVII – ADJOURNMENT

A motion to adjourn shall always be in order and decided without debate.